



9/2/2009

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Attorneys for Defendant NDEx WEST, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DANILO DEL VALLE, an Individual, and  
JENNIFER DEL VALLE, an Individual,

Plaintiffs,

vs.

INDYMAC FEDERAL BANK, F.S.B., a  
Delaware Coporation; NDEX WET, LLC,  
a Delaware Corporation; ALLIANCE  
BANCORP, a California Corporation, and  
DOES 1 through 10, inclusive,

Defendants.

CASE NO. 5:09-cv-01940-JW (PVT)

STIPULATION OF NON-  
MONETARY STATUS OF  
DEFENDANT NDEx WEST, LLC

[NO HEARING REQUIRED]

IT IS HEREBY STIPULATED by and between Plaintiffs DANILO DEL  
VALLE, and JENNIFER DEL VALLE and Defendant NDEx WEST, LLC, through  
their undersigned attorneys of record, as follows:

STIPULATION OF NON-MONETARY STATUS OF DEFENDANT NDEx WEST, LLC

1           1.     Plaintiffs' claims in this action arise from the origination and/or servicing  
2 of a residential mortgage loan and primarily affect Plaintiffs, their original mortgage  
3 lender, its successor(s)-in-interest, and/or the loan servicing agent(s) for such mortgage  
4 lender(s). Defendant NDEx WEST, LLC had no involvement in the origination or  
5 servicing of the subject mortgage loan and has been joined as a defendant based upon  
6 its limited role in handling a non-judicial foreclosure as agent for the mortgage  
7 lender(s) and/or as successor trustee under the subject Deed of Trust and solely for the  
8 purpose of having all necessary parties before the Court.  
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12           2.     Plaintiffs do not assert any claims for monetary relief against Defendant  
13 NDEx WEST, LLC, and their Complaint does not allege any misconduct on its part in  
14 the performance of its duties and/or in its handling of the non-judicial foreclosure as  
15 agent for the mortgage lender(s) and/or as successor trustee under the subject Deed of  
16 Trust. Defendant NDEx WEST, LLC shall have no liability to plaintiffs for any  
17 monetary damages, attorney's fees or costs of suit.  
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21           3.     Defendant NDEx WEST, LLC agrees to be bound by any non-monetary  
22 judgment or order that may be entered by the Court concerning (a) ownership and title  
23 to the subject real property, (b) the validity, enforceability and priority of the subject  
24 Deed of Trust, and/or (c) the non-judicial foreclosure proceeding.  
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STIPULATION OF NON-MONETARY STATUS OF DEFENDANT NDEx WEST, LLC

THE LAW OFFICES OF CARLO O. REYES

Dated: 8/18, 2009

By: 

CARLO O. REYES, Attorney for Plaintiffs  
DANILO DEL VALLE and JENNIFER DEL  
VALLE

BARRETT DAFFIN FRAPPIER TREDER &  
WEISS, LLP

Dated: 8/11, 2009

By: 

EDWARD A. TREDER, Attorneys for  
Defendant NDEx WEST, LLC

STIPULATION OF NON-MONETARY STATUS OF DEFENDANT NDEx WEST, LLC